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EXAMINER

LA, ANH V

ART UNIT PAPER NUMBER

2632

DATE MAILED: 01/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/511,991

Applicant(s)

Taylor et al

Examiner

Anh La

Art Unit

2632



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 6, 10, 15, 19-22, 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Jandrell.

Regarding claim 1, Jandrell discloses a method of correlating information related to an entrant within a predetermined area comprising the steps of obtaining information relating to the entrant in the area (column 57, lines 55-67, col. 58, lines 1-33, col. 26, lines 45-61, col. 11, lines 63-67, col. 6, lines 18-33, col. 34, lines 1-6), determining at least one position of the entrant within the predetermined area using impulse radio techniques (see figure 38), and correlating information about the entrant to the at least one position of the entrant (col. 57, lines 55-67, col. 58, lines 1-33).

Regarding claim 2, Jandrell discloses the step of reporting the correlated information according to desired parameters (col. 57, lines 55-67, col. 58, lines 1-33).

Regarding claim 6, Jandrell discloses an impulse radio TAG (fig. 38).

Regarding claim 10, Jandrell discloses a physical description of the entrant (col. 58, lines 30-34).

Regarding claim 15, Jandrell discloses a prison (col. 58, lines 1-5).

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Regarding claim 19, Jandrell discloses a system of controlling functions in response to position information determined by impulse radio techniques comprising an impulse radio positioning device (the coded pulse proximity transmitter, figure 38), and an interface (the monitoring terminal) with a controller (the control center), the controller acting upon a function based upon predetermined position parameters (col. 57, lines 55-67, col. 8, lines 1-35).

Regarding claim 20, Jandrell discloses an alarm (col 58, lines 28-30).

Regarding claim 21, Jandrell discloses a communicating device (col. 58, lines 1-52).

Regarding claim 22, Jandrell discloses an impulse radio communicating information specific to the position wherein the entrant is located (fig. 38).

Regarding claim 24, Jandrell discloses an alerting means to alert an entrant of an unsafe position (col. 58, lines 1-35).

Regarding claim 25, Jandrell discloses the controller being a microprocessor (3202, col. 58, lines 35-42).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

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commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 3-5, 7-9, 11, 13, 14, 16-18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandrell in view of Snaper.

Regarding claim 3, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a manual input of personal information into a computer in response to questions from an attendant at an entrance to the area. Snaper teaches the use of a manual input of personal information into a computer in response to questions from an attendant at an entrance to an area (col. 2, lines 21-30). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a manual input of personal information into a computer in response to questions from an attendant at an entrance to the area to the method of Jandrell as taught by Snaper for the purpose of providing personal information of the entrant.

Regarding claim 4, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the step of requiring the entrant to input the information via the Internet. Snaper teaches the use of requiring an entrant to input the information via a computer system (col. 2, lines 21-30, col. 4, 40-50). It is well-known that the

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computer system is clearly connected to an Internet. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the step of requiring the entrant to input the information via the Internet to the method of Jandrell as taught by Snaper for the purpose of providing personal information of the entrant.

Regarding claim 5, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the step of requiring the entrant to input the information via a computing device. Snaper teaches the use of requiring an entrant to input the information via a computer system (col. 2, lines 21-30, col. 4, 40-50). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the step of requiring the entrant to input the information via a computing device to the method of Jandrell as taught by Snaper for the purpose of providing personal information of the entrant.

Regarding claims 7-9, 11, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the information comprising gender of the entrant (claim 7), age of the entrant (claim 8), native language of the entrant (claim 9), and if entrant is a child, comprising an indication of whether the child is accompanied by a parent or guardian (claim 11). Snaper teaches the use of a plurality information including names, ID number, classification, hair color, sex, race, facial features, and access code (col. 4, lines 40-50). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the information comprising gender of the entrant and age of the entrant to the method of Jandrell as taught by Snaper for the purpose of providing personal information of the

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entrant. Regarding the native language of the entrant, and if entrant is a child, an indication of whether the child is accompanied by a parent or guardian being provided, it would have been obvious to have the information including the native language of the entrant, and if entrant is a child, an indication of whether the child is accompanied by a parent or guardian being provided since Snaper teaches the use of a plurality information being provided.

Regarding claims 13-14, 16-18, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the area being a shopping mall, an office building, a convention center, a zoo, or a museum. Snaper discloses a predetermined area being a securing area (col. 1, lines 5-15). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the area being a securing area to the method of Jandrell as taught by Snaper for the purpose of providing monitoring the entrant in a secured area. Regarding a shopping mall, an office building, a convention center, a zoo, or a museum, it would have been obvious to have the area being a shopping mall, an office building, a convention center, a zoo, or a museum as desired because a shopping mall, an office building, a convention center, a zoo, or a museum are securing areas.

Regarding claim 23, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose a visual alarm. Snaper teaches the use of a visual alarm (col. 6, lines 14-19). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a visual alarm to the system of Jandrell as taught by Snaper for the purpose of illuminating an area wherein an entrant is located.

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4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jandrell in view of Lepkofker.

Regarding claim 12, Jandrell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the area being a theme park. Lepkofker teaches the use of an area being a theme park (col. 1, lines 25-40, figure 26). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the area being a theme park to the method of Jandrell as taught by Lepkofker for the purpose of monitoring the entrant in a theme park.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crimmins, Carroll and Lemelson disclose monitoring systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner La whose telephone number is (703) 305-3967. The examiner can normally be reached on Monday--Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached at (703)-305-4717. The fax phone number for this Group is (703) 872-9314.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

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or Faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.



Anh V. La
December 26, 2001